

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (FM) ECF Case
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This document relates to:

Ashton, et al. v. al Qaeda Islamic Army, et al., Case No. 02-CV-6977
Federal Ins. Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978
Estate of O'Neill, et al. v. Republic of Iraq, et al., Case No. 04-CV-1076
Havlish, et al. v. bin Laden, et al., Case No. 03-CV-09848

AFFIRMATION OF SEAN P. CARTER, ESQ.

I, Sean P. Carter, affirm under penalty of perjury that the following statements are true and correct, pursuant to 28 U.S.C. § 1746:

1. I am a partner at the law firm of Cozen O'Connor, attorneys for the *Federal Insurance* Plaintiffs in the above-captioned litigation. As such, I am familiar with and have personal knowledge of the facts herein.

2. I make this Affirmation in support of Plaintiffs' Opposition to the *Havlish* Motion for an Order Creating a Common Benefit Fund to Compensate *Havlish* Attorneys Regarding Default Judgments Against the Islamic Republic of Iran ("Plaintiffs' Opposition").

3. In December 2003, the *Federal Insurance* Plaintiffs retained Dr. Shaul Shay, a former Israeli Military Intelligence officer who more recently served as the Deputy Head for the Israeli National Security Council, to serve as an expert with respect to the Plaintiffs' claims against defendants Islamic Republic of Iran ("Iran") and Republic of the Sudan ("Sudan"). Dr. Shay is the author of seventeen books on terrorism, including *Islamic Terror Abductions in the Middle East* (2015); *Global Jihad and the Tactic of Terror Abduction: A Comprehensive Review of Islamic Terrorist Organizations* (2014); *Islamic Terror and the Balkans* (2008); *The Axis of*

Evil: Iran, Hizballah, and the Palestinian Terror (2005); *The Shahids: Islam and Suicide Attacks* (2004); and *The Endless Jihad ... The Mujahidin, the Taliban and Bin Laden* (2002).

4. Dr. Shay was retained for the specific purpose of developing a body of evidence and expert testimony to support the imposition of default judgments against Iran and Sudan, and remained on retainer through April of 2006. During that time, he worked to assemble a body of evidence to support a default judgment against Iran.

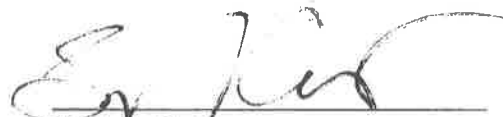
5. Dr. Shay provided numerous reports and other materials to the *Federal Plaintiffs'* counsel for that very purpose.

6. I personally met with Dr. Shay on several occasions, primarily in London, to discuss the requirements for securing a default judgment against Iran, and to review his findings and reports.

7. Additional counterterrorism experts working on behalf of the *Federal Insurance* plaintiffs on a range of investigations since the commencement of the litigation were tasked to use their contacts and resources to develop an evidentiary portfolio concerning al Qaeda's global infrastructure and the sources of support which allowed the terror organization to plan, coordinate and conduct the September 11th attacks. Those separate experts have been actively collecting evidence concerning al Qaeda's sources of financial and material support on a continuous basis for the last 12 years, including support provided by Iran.

8. Through our investigative efforts, we secured records relating to the German criminal proceeding against Abdelghani Mzoudi, including a transcript of the German authorities' witness examination of a former official of the Iranian intelligence service, the Ministry for Information and Security. Internal records indicate that we were in possession of that examination in 2004.

Executed: May 5, 2016
Philadelphia, PA



Sean P. Carter